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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,883	06/28/2006	Joakhim Karl Olof Bergstrom	P19175-US1	1855
27045	7590	01/22/2009	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			JAMA, ISAAK R	
			ART UNIT	PAPER NUMBER
			2617	
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			01/22/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/596,883	BERGSTROM ET AL.	
	Examiner	Art Unit	
	ISAAK R. JAMA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 10-14 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-14 and 17-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/28/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Status of Claims

1. Claims 8-9 and 15-16 have been canceled.
2. Claims 1-7, 10 -14 and 17-28 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7, 10-11, 14, 17-25 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2004/0185837 (Kim et al.).
5. Regarding claims 1 and 17-18, Kim teaches a method in a Radio Network Controller, RNC, in a mobile telecommunication system for initiating a Multimedia Broadcast Multimedia Service to a User Equipment in Packet Mobility Management - idle, PMM-idle, mode controlled by the RNC, wherein the RNC is connected to a Serving GPRS Support Node SGSN [**Abstract**], the method comprising the steps of: indicating to the SGSN that the UE is transiting to a Circuit Switched connected mode, receiving from the SGSN an MBMS UE context and adding the MBMS UE context in the RNC to make the RNC aware that the RNC controls UEs connected to the MBMS

[Page 2, paragraph 0020]. In addition, Kim teaches means for indicating to the SGSN that the UE is transiting to a Circuit Switched connected mode **[Page 2, column 0022; i.e. The UE 202 sets up an RRC connection for receiving a CS service, and transitions to a Cell-FACH (Forward Access Channel) or Cell-DCH (Dedicated Channel) state of an RRC-Connected mode].**

6. Regarding claim 2, Kim teaches a method in a Serving GPRS Support Node, SGSN, in a mobile telecommunication system for initiating a Multimedia Broadcast Multimedia Service to a User Equipment in Packet Mobility Management - idle, (PMM-idle), mode controlled by a Radio Network Controller wherein the RNC is connected to the SGSN, the method comprising the steps of: receiving an indication that the UE is transiting to a Circuit Switched connected mode, checking with the stored MBMS context information in the SGSN to determine whether the UE has activated the MBMS for one or more sessions, and providing the RNC with the MBMS UE context in order to make the RNC aware that the RNC controls UEs connected to the MBMS **[Page 11, paragraph 0159].**

7. Regarding claim 3, Kim teaches that the method according to claim 1, wherein the indicating step includes transmitting a message from the RNC to the SGSN **[Figure 19, step 922].**

8. Regarding claim 4, Kim teaches that the method according to claim 1, further comprising maintaining the UE in PMM-idle state at reception of the indication at the SGSN **[Figure 21, page 12, paragraph 0167].**

Art Unit: 2617

9. Regarding claim 5, Kim teaches that the method according to claim 1, further comprising transferring the UE to PMM-connected state at reception of the indication at the SGSN **[Figure 21, page 12, paragraph 0164]**.

10. Regarding claim 6, Kim teaches that the providing step includes invoking an lu linking procedure by sending an lu Linking Request message to the RNC from the SGSN **[Figure 22, page 13, paragraph 0179]**.

11. Regarding claim 7, Kim teaches that the method according to claim 1, further comprising keeping the added MBMS UE context in the RNC as long as the UE is RRC connected **[Page 3, paragraph 0032]**.

12. Regarding claim 10, Kim teaches a method in a Radio Network Controller, RNC, in a mobile telecommunication system for initiating a Multimedia Broadcast Multimedia Service to a User Equipment in Packet Mobility Management - idle, PMM- idle, state and Circuit Switched connected mode, said UE being controlled by a Radio Network Controller connected to a Serving GPRS Support Node, SGSN **[Abstract]**, the method comprising the steps of: receiving a message from the UE in order to update the MBMS UE context in the RNC for one or more MBMS sessions for which the UE has joined, if there is no MBMS service context information stored in the RNC for the concerned MBMSs, the method comprises the further steps of: fetching MBMS service context information from the SGSN, sending the identity of the RNC to the SGSN, and creating or updating the MBMS UE context and/or the MBMS Service context in the RNC based on the fetched information from the SGSN **[Figure 13, steps 714, 720, 722 and 724, page 9, paragraph 0127]**, if there is MBMS service context information stored in the

Art Unit: 2617

RNC for the concerned MBMSs, the method comprises the further step of: updating the MBMS service context in the RNC **[Figure 13, steps 714, 716, 718 and 722, page 9, paragraph 0128]**.

13. Regarding claim 11, Kim teaches that the method according to claim 10, wherein the created or updated MBMS UE context in the RNC is kept in the RNC as long as the UE is RRC connected **[Page 1, paragraph 0014]**.

14. Regarding claims 14 and 28, Kim teaches that the method according to claim 10, further comprising maintaining the UE in PMM-idle state at reception of the message to the RNC **[Page 3, paragraph 0033]**.

15. Regarding claim 19, Kim teaches that the RNC according to claim 17, wherein the means for indicating includes means for transmitting a message to the SGSN **[Figure 23, #s 1038 and 1040]**.

16. Regarding claim 20, Kim teaches that the SGSN according to claim 18, further comprising means for maintaining the UE in PMM-idle state at reception of the indication at the SGSN **[Figure 23, #s 1030, 1038 and 1040]**.

17. Regarding claim 21, Kim teaches that the SGSN according to claim 18, further comprising means for transferring the UE to PMM-connected state at reception of the indication at the SGSN **[Page 6, paragraph 0081]**.

18. Regarding claim 22, Kim teaches that the SGSN according to claim 18, wherein the means for providing includes means for invoking an lu linking procedure by sending an lu Linking Request message to the RNC from the SGSN **[Figure 19, # 922]**.

Art Unit: 2617

19. Regarding claim 23, Kim teaches that the RNC according to claim 17, wherein the added MBMS UE context in the RNC is kept in the RNC as long as the UE is RRC connected **[Figure 24, steps 1102-1124]**.

20. Regarding claim 24, Kim teaches a Radio Network Controller, RNC, in a mobile telecommunication system for initiating a Multimedia Broadcast Multimedia Service, MBMS, to a User Equipment, in Packet Mobility Management - idle state and Circuit Switched connected mode, said UE being controlled by the RNC, wherein the RNC is connected to a Serving GPRS Support Node **[Figure 1]**, the RNC comprising: means for receiving a message from the UE in order to update the MBMS UE context in the RNC for one or more MBMS sessions for which the UE has joined **[Abstract]**, means for checking if there already are MBMS service contexts established in the RNC for the concerned MBMSs if there is no MBMS service context information stored in the RNC for the concerned MBMSs, the RNC further comprises: means for fetching MBMS service context information from the SGSN, means for sending the identity of the RNC to the SGSN, and means for creating or updating the MBMS UE context and/or the MBMS Service context in the RNC based on the fetched information from the SGSN, if there is MBMS service context information stored in the RNC for the concerned MBMSs, the RNC comprises means for updating the MBMS service context in the RNC **[Figure 13, steps 702-724]**.

21. Regarding claim 25, Kim teaches that the RNC according to claim 24, wherein the RNC comprises means for keeping the created or updated MBMS UE context in the RNC as long as the UE is RRC connected **[Figure 19, steps 920-928]**.

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 12 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2004/0185837 (Kim et al.) in view of U.S. Patent Number 7,277,706 (Hurtt et al.) with a priority to provisional application number 60/446,545.

24. Regarding claim 12 and 26, Kim has been discussed with respect to claims 10 and 24, above. But Kim fails to specifically disclose performing individual paging over an Iur interface or by performing Iur linking in order to page a UE that has moved to a second RNC. Hurtt et al. teaches a provision of service contexts in a communication system whereby If user equipments (UE) are found which are under a cell controlled by another controlling radio network controller (CRNC), the serving radio network controller (SRNC) is responsible of informing the controlling radio network controller (CRNC) about the user equipment (UE) in connected and/or idle mode. This is performed by sending a list of active or inactive user equipments (UE) over the Iur-interface [Column 10, lines 1-8]. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the method of Hurtt et al. in the system of Kim in order to transfer any information related to the user equipment from one serving radio network controller to a controlling radio network controller.

Art Unit: 2617

25. Claims 13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2004/0185837 (Kim et al.) in view of U.S. Patent Application Publication Number 2003/0235212 (Kuo).

26. Regarding claims 13 and 27, Kim has been discussed with respect to claims 10 and 24, above. Kim teaches that the message received from the UE is received in a Radio Resource Control Connection Request message as a new information field/information element, or is received as a new RRC PDU/message. Kuo teaches a method for synchronizing a start value for security in a wireless communication network whereby a frequent occurrence is the UTRAN RRC layer generating a signaling packet for the UE RRC layer, and vice versa, which would be a RRC PDU **[Page 2, paragraph 0007]**. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the method of Kuo in the system of Kim in order to provide synchronizing a start value between the user equipment and the RNC.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Application Publication Number 2003/0119452 (Kim et al.) teaches an apparatus and method for controlling transmission power of downlink data channel in a mobile communication system supporting MBMS. U.S. Patent Number 7,031,708 (Sarkkinen et al.) teaches a system and method for connecting multicast or broadcast control information to mobile stations. U.S. Patent Number 6,701,155 (Sarkkinen et al.) teaches a network initialized packet data protocol context activation for multicast/broadcast services. U.S. Patent Application Publication Number

Art Unit: 2617

2003/0043786 (Kall et al.) teaches an apparatus and associated method for multicasting data in a radio communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAK R. JAMA whose telephone number is (571)270-5887. The examiner can normally be reached on 7:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IRJ/

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617